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Attorney/Docket No. <u>31132.159</u> Customer No. 000027683

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Zhang, et al.

Serial No.: 10/665,578

Filed: September 19, 2003

For: Instrument and Method for Surgical

Extraction

Group Art Unit: 3731

Examiner: Unknown

INFORMATION DISCLOSURE STATEMENT

8888

Mail Stop Amendment Commissioner For Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 CFR §1.56, and in accordance with the practice under 37 CFR §1.97 and §1.98, the Examiner's attention is directed to the documents listed on the enclosed modified Form PTO-1449. No inference should be made that the cited references are in fact material, are in fact prior art, or that no better art exists. The cited patents are listed in numerical order and are not in any order based on their pertinence.

The above-identified application was filed after June 30, 2003. Therefore, pursuant to the waiver of the requirement under 37 CFR 1.98 (a)(2)(i) as stated in a Pre-OG Notice dated July 11, 2003, copies of only the foreign patent documents and non-patent literature listed on the enclosed modified Form PTO-1449 are attached.

This Information Disclosure Statement is being filed within three months of the United States filing date or before the mailing date of a first Office Action on the merits. No certification or fee is required (37 CFR §1.97(b)).

In compliance with the duty of disclosure under 37 CFR §1.56, and in accordance with the practice under 37 C.F.R. §1.97 and §1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO-1449. Copies of the listed information are also enclosed. The undersigned first became aware of the cited patents by their inclusion in an International Search Report issued by the EP on PCT/US03/29144, the PCT counterpart of the present application. A copy of the search report is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account 08-1394.

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Respectfully submitted,

David M. O'Dell

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 8-9-04

Printed Name

Signature

In place of PTO-1449	U. S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE			Complete if Known		
Form	AUG 1		8	Application Number	10/665,578	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Filing Date	September 19, 2003	
				Applicant(s)	Zhang, et al.	
(u	se as many sheets	as necess	sary)	Art Unit	3731	
				Examiner Name	Unknown	
SHEET	1	OF	1	Attorney Docket Number	31132.159	

U. S. PATENT DOCUMENTS						
Examiner's Cite Documen Initials No.		Document Number	Publication Date			
	A1	5951564	09/14/1999	Schroder, et al.		
	A2	6159215	12/12/2000	Urbahns, et al.		
	A3	6245111	06/12/2001	Shaffner		
		<u> </u>	<u> </u>			

FOREIGN PATENT DOCUMENTS					
Examiner's Initials	Cite No.	Foreign Patent Document (Country Code - Number - Kind)	Publication Date	Patentee or Applicant of Cited Document	Translation
		DE 76 01 139 U	05/26/1976	Aesculap-Werke	N
		DE 199 64 009	07/12/2001	Universitat Heidelberg	N
			<u> </u>		
			<u> </u>		

NON-PATENT LITERATURE DOCUMENTS					
Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item, date, page(s), volume-issue number(s), publisher, city/country where published			
	 				
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Examiner	Date	
Signature	Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.